

Alan J. Kessel (Cal. Bar No.: 130707)
 Keli N. Osaki (Cal. Bar No.: 179920)
 Brandon Q. Tran (Cal. Bar No.: 223435)
BUCHALTER NEMER
 A Professional Corporation
 18400 Von Karman Avenue, Suite 800
 Irvine, California 92612-0514
 Telephone: (949) 760-1121
 Facsimile: (949) 720-0182
 E-mail: btran@buchalter.com

Attorneys for Plaintiff DIRECTV, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DIRECTV, INC., a California corporation,

 Plaintiff,

 vs.

 EVERAL WADE,

 Defendant.

Case No. CV-04-3578 EMC

Hon. Edward M. Chen

**STIPULATION FOR VOLUNTARY
 DISMISSAL OF DEFENDANT
 EVERAL WADE AND REQUEST TO
 RETAIN JURISDICTION; [PROPOSED]
 ORDER THEREON**

IT IS HEREBY STIPULATED by and between Plaintiff DIRECTV, Inc.
 (“DIRECTV”) and Defendant Everal Wade (“Defendant”), through their respective counsel of
 record, that the above-captioned action be and hereby is dismissed without prejudice, pursuant to
 Fed. R. Civ. P. 41(a)(1), as to Defendant. Each of said parties to bear its/his own costs and
 attorneys’ fees.

The terms of the Confidential Settlement Agreement dated October 7, 2005
 (“Agreement”) entered into between Defendant and DIRECTV require the performance of certain
 obligations by Defendant that will not be completed until December 2007. If Defendant does not
 timely or fully perform these obligations when due, DIRECTV is authorized to seek enforcement
 of those obligations in this Court. The parties therefore have consented, and hereby further
 stipulate and consent to, the retention of jurisdiction over them by this Court and to reference to a
 Magistrate Judge in this District for the purpose of enforcing those obligations of the Agreement,

1 as defined therein. The parties therefore respectfully request that the Court retain such
2 jurisdiction.

3 DATED: November 28, 2005

Respectfully Submitted,

4 BUCHALTER NEMER
5 A Professional Corporation

6
7 By: _____ /s/ Brandon Q. Tran
8 Brandon Q. Tran
Attorneys for Plaintiff DIRECTV, Inc.

9 DATED: November 28, 2005

PARR LAW GROUP

10
11 By: _____ /s/ Shawn R. Parr
12 Shawn R. Parr
13 Attorneys for Defendant EVERAL WADE
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

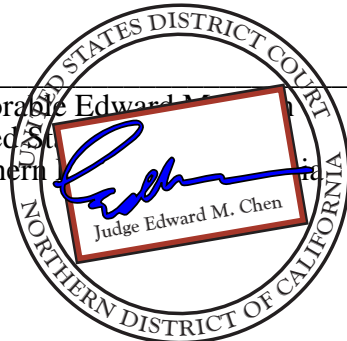
ORDER

HAVING READ AND CONSIDERED the forgoing Stipulation for Voluntary Dismissal of Defendant Everal Wade and Request to Retain Jurisdiction, and such other pleadings, documents and records deemed appropriate by the Court, and good cause appearing therefore, IT IS HEREBY ORDERED:

- (1) Defendant Everal Wade is hereby dismissed from this action without prejudice;
- (2) Each of said parties to bear its/his own costs and attorneys' fees; and
- (3) The Court shall retain jurisdiction over Plaintiff DIRECTV, Inc. and Defendant Everal Wade to enforce the terms described above of the Settlement Agreement between those parties dated October 7, 2005 and hereby refers any further proceedings in this action to enforce such terms of the Settlement Agreement to a Magistrate Judge of this District.

Dated: November 30, 2005

Honorable Edward M. Chen
United States District Court
Northern District of California



This document was created with Win2PDF available at <http://www.daneprairie.com>.
The unregistered version of Win2PDF is for evaluation or non-commercial use only.